

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

19-CR-131-02 (PAE)

-v-

ORDER

JUSTIN RIVERA,

Defendant.

-----X

WHEREAS, a date for the jury trial in this case to begin has been set, and approved by the Board of Judges, for Tuesday, February 16, 2021; and

WHEREAS, Mr. Rivera's counsel has only been appointed to this case since July 2020 and during the present COVID-19 pandemic; and

WHEREAS, the Court and the parties seek to ensure that Justin Rivera has sufficient and meaningful access to his counsel while detained at the Metropolitan Correctional Center ("MCC"); and

WHEREAS, the Court seeks to ensure that such access to counsel does not jeopardize the right to meaningful access to counsel of others at MCC;


IT IS HEREBY ORDERED that:

1. The MCC must make Mr. Rivera, who is presently housed at the MCC, available for video teleconferences, with his counsel, including attorneys and other members of his legal team;

2. Mr. Rivera shall be allowed to have video teleconferences with other members of his legal team, including paralegals and investigators, without the presence of counsel;
3. Apart from and in addition to any videoconferences or teleconferences scheduled through the Federal Defenders of New York, Inc., the MCC shall provide Mr. Rivera with one video videoconference per week, lasting four hours;
4. The video teleconferences shall begin this week and no later than Friday, December 18, 2020;
5. This Order remains in effect until the trial in this matter is completed and a copy of this Order shall be immediately made available to and complied with by any MCC staff member of the unit where Mr. Rivera is housed;
6. Nothing in this Order is intended to limit or restrict any teleconference or videoconference time provided to Mr. Rivera's defense counsel, in this case, or in any other case.
7. This Order is issued based on the facts and circumstances of this particular case, counsel, and defendant, and it should not be viewed as precedential.

Dated: New York, New York
December 15, 2020

SO ORDERED.


The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York